

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Kevin Cooper and Brenda Cooper,

Plaintiffs,

Case No. 13-cv-12740

Hon. Judith E. Levy

v.

Mag. Judge Michael J. Hluchaniuk

Temple-Inland, Inc. and  
International Paper Co.,

Defendants.

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**JUDGMENT**

After trial, a verdict was reached in this matter by a jury on June 10, 2015 in favor of Plaintiffs and against Defendants on Plaintiff, Kevin Cooper's claim of negligence in Count I of Plaintiffs' Complaint with a five percent (5%) assignment of fault against Kevin Cooper. A verdict was also reached in favor of Plaintiff, Brenda Cooper, and against Defendants on Plaintiffs' derivative claim of loss of consortium in Count II of Plaintiffs' Complaint, with a resulting five percent (5%) reduction as a matter of law.

With respect to Plaintiff, Kevin Cooper's claim of negligence in Count I, the jury entered a verdict in favor of Plaintiff, Kevin Cooper as follows:

\$75,000 for past medical expenses

\$38,000 for past lost wages

\$500,000 for past non-economic damages

\$215,000 for future medical expenses

\$387,784 for future lost wages, accrued as follows:

\$51,600 in 2015

\$51,350 in 2016

\$51,100 in 2017

\$50,855 in 2018

\$50,609 in 2019

\$50,364 in 2020

\$16,504 in 2021

\$16,442 in 2022

\$16,381 in 2023

\$16,320 in 2024

\$16,259 in 2025

\$1,606,000 for future non-economic damages, accrued as follows:

\$36,500 in 2015

\$36,500 in 2016

\$36,500 in 2017

\$36,500 in 2018

\$36,500 in 2019

\$36,500 in 2020

\$36,500 in 2021

\$36,500 in 2022

\$36,500 in 2023

\$36,500 in 2024

\$36,500 in 2025

\$36,500 in 2026

\$36,500 in 2027

\$36,500 in 2028

\$36,500 in 2029

\$36,500 in 2030

\$36,500 in 2031

\$36,500 in 2032

\$36,500 in 2033

\$36,500 in 2034

\$36,500 in 2035

\$36,500 in 2036

\$36,500 in 2037

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\$36,500 in 2048

\$36,500 in 2049

\$36,500 in 2050

\$36,500 in 2051

\$36,500 in 2052

\$36,500 in 2053

\$36,500 in 2054

\$36,500 in 2055

\$36,500 in 2056

\$36,500 in 2057

\$36,500 in 2058

With respect to Plaintiff, Brenda Cooper's claim of loss of consortium in Count II, the jury entered a verdict in favor of Plaintiff, Brenda Cooper in the amount of \$190,000 for past loss of services, society and companionship.

Reducing Plaintiff, Kevin Cooper's, future lost wages of \$387,784 in accordance with Mich. Comp. Laws § 600.6306(1)(c) and (2) equals a gross present cash value of \$ 356,504.

Reducing Plaintiff, Kevin Cooper's future non-economic damages of \$1,606,000 in accordance with Mich. Comp. Laws § 600.6306(1)(c) and (2) equals a gross present cash value of \$ 836,690.

Reducing Plaintiff, Kevin Coopers past medical expenses of \$75,000 by the 5% assigned as Plaintiff's comparative fault equals \$71,250.

Reducing Plaintiff, Kevin Cooper's past lost wages of \$38,000 by the 5% assigned as Plaintiff's comparative fault equals \$36,100.

Reducing Plaintiff, Kevin Cooper's past non-economic damages of \$500,000 by the 5% assigned as Plaintiff's comparative fault equals \$475,000.

Reducing the \$356,504 gross present cash value of Plaintiff, Kevin Cooper's future economic damages by the 5% assigned as Plaintiff's comparative fault equals \$ 338,678.20.

Reducing the \$ 836,690 gross present cash value of Plaintiff, Kevin Cooper's future non-economic damages by the 5% assigned as Plaintiff's comparative fault equals \$ 794,855.50.

Reducing Plaintiff, Brenda Cooper's past non-economic damages of \$190,000 by the 5% assigned as Plaintiff's comparative fault equals \$180,500.

IT IS HEREBY ORDERED AND ADJUDGED that Defendants pay Plaintiff, Kevin Cooper the amount of \$1,930,883.70 with respect to the verdict for the negligence claim in Count I as follows:

\$71,250	for past medical expenses
\$215,000	for future medical expenses
\$36,100	for past economic damages
\$338,678.20	for future economic damages
\$475,000	for past non-economic damages
\$794,855.50	for future non-economic damages

IT IS FURTHER ORDERED AND ADJUDGED that Defendants pay Plaintiff Brenda Cooper the amount of \$ 180,500 with respect to the verdict for the loss of consortium claim in Count II, for a total judgment amount of **\$2,111,383.70**, together with taxable costs, interest and case evaluation sanctions, if any, as allowed by law and to be determined at a later date.

IT IS FURTHER ORDERED AND ADJUDGED that the entry of this Judgment does not waive Plaintiffs' right to contest the reduction of the judgment by 5% for the assessment by the jury of Plaintiff, Kevin Cooper's comparative negligence.

IT IS SO ORDERED.



Dated: June 29, 2015  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

**Approved as to form:**

/s/ Arvin J. Pearlman

Date: June 25, 2015

**ARVIN J. PEARLMAN**

Arvin J. Pearlman (P18743)

Attorney for Plaintiffs

/s/ Thomas G. Cardelli (w/consent)

Date: June 25, 2015

**CARDELLI LANFEAR P.C.**

Thomas G. Cardelli (P31728)

Attorney for Defendants

/s/ Matthew K. Buck (w/consent)

Date: June 25, 2015

Matthew K. Buck (0067319)

Attorney for Defendants

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 29, 2015.

s/Felicia M. Moses  
FELICIA M. MOSES  
Case Manager